

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DONALD ALAN BOULDEN,

Plaintiff,

v.

No. 2:21-cv-00440-KWR-GBW

DWAYNE SANTISTEVAN, *et al.*,

Defendants.

**ORDER PERMITTING AMENDMENT
AND STRIKING MISCELLANEOUS MOTIONS**

THIS MATTER is before the Court on Donald Alan Boulden’s Amended Civil Complaint. (Doc. 10). Boulden is incarcerated and proceeding *pro se*. He appears to raise Eighth Amendment and Due Process claims based on the education programs offered in prison. After submitting the Amended Complaint, Boulden filed 20 motions, notices, and letters. (Docs. 11-15; 18-23; 26; 28-34; 36) (together, the “Supplemental Filings”). Many Supplemental Filings seek to amplify the Amended Complaint by joining parties, making a jury demand, and adding allegations. Others address procedural matters such as discovery and hearings. Boulden also filed motions to stay certain claims and then later, to lift the stay. *Compare* Docs. 14, 36. At this point, the Court cannot discern what claims Boulden intends to assert or what procedural relief he hopes to obtain while the case is still in screening under 28 U.S.C. § 1915A.

“It is not the role of … the court … to sort through a lengthy … complaint and voluminous exhibits … to construct plaintiff’s causes of action.” *McNamara v. Brauchler*, 570 Fed. App’x 741, 743 (10th Cir. 2014) (citations omitted). The Court will therefore strike the Amended Complaint and all pending motions, letters, and notices. Boulden may file a single amended complaint and a single motion requesting pre-screening relief within thirty (30) days of entry of

this Order. The amended complaint must contain a short and plain statement demonstrating the grounds for relief, as required by Fed. R. Civ. P. 8(a). It must “make clear exactly *who* is alleged to have done *what to whom*, to provide each individual with fair notice as to the basis of the claim against him or her.” *Robbins v. Oklahoma*, 519 F.3d 1242, 1249-50 (10th Cir. 2008) (emphasis in the original). The failure to timely file an Amended Complaint that complies with Rule 8(a) may result in dismissal of this action without further notice.

IT IS ORDERED that the Court hereby **STRIKES** the Amended Complaint (**Doc. 10**) and all pending motions, letters, and notices (**Docs. 11-15; 18-23; 26; 28-34; 36**).

IT IS FURTHER ORDERED that within thirty (30) days of entry of this Order, Boulden may file a single amended complaint and a single motion requesting pre-screening relief.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE